



**PATENT**  
Attorney Docket No. 223256

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

NEFF, Charles E.

Group Art Unit: Unassigned

Application No. 10/635,374

Examiner: Unassigned

Filing Date: August 6, 2003

For: METHOD OF FABRICATING PLIANT  
WORKPIECES, TOOLS FOR  
PERFORMING THE METHOD AND  
METHODS FOR MAKING THOSE  
TOOLS

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that any reference listed thereon is prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

<b>CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8</b>			
I hereby certify that this Information Disclosure Statement, including any documents or materials referred to thereon on being attached or enclosed, is, on the date indicated below, <input checked="" type="checkbox"/> being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or <input type="checkbox"/> being facsimile transmitted to the U.S. Patent and Trademark Office.			
Name (Print/Type)	Peter Phillips		
Signature	Peter Phillips	Date	October 15, 2003

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Further, the submission of the references is not to be taken as a concession that they represent art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that the references are not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); (b) within three months of the date of entry of the national stage as set forth in § 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
- ☐ the Statement under § 1.97(e) (see "Statement under § 1.97(e)" below).  
*or*  
☐ the fee of \$180 set forth in § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under § 1.113 or a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under § 1.97(e) (see "Statement under § 1.97(e)" below), and the fee of \$180 as set forth in § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a Notice of Allowance under § 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under § 1.704(d) (see "Statement under § 1.704(d)" below), and the fee of \$180 as set forth in § 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 59, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with §§ 1.97 and 1.98 is being filed.

#### Copies of the References

- ☒ A copy of the non-U.S. patent reference listed on the enclosed Form 1449 is enclosed herewith. Attached to each reference not in the English language is a concise explanation of its relevance pursuant to § 1.98(a)(3).
- ☐ A copy of a foreign search report from a counterpart foreign application is enclosed herewith.

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- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and a copy of each reference was furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC § 120 in which copies of the reference were previously furnished are set out below:

U.S. APPLICATIONS		STATUS (CHECK ONE)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 0 /				
2. 0 /				
3. 0 /				

**Statement under § 1.97(e)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**Statement under § 1.704(d)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

**Fees**

- ☒ **No fee** is owed by the applicant(s).
- ☐ The **IDS Fee of \$180** under § 1.17(p) is enclosed herewith.

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**Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$ .  
☐ Charge Deposit Account No. 12-1216 in the amount of \$180.00. (A duplicate copy of this communication is enclosed for that purpose.)

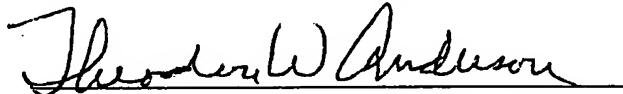
**Authorization to Charge Additional Fees**

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

**Instructions as to Overpayment**

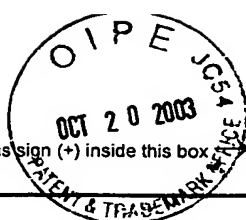
- ☒ Credit Account No. 12-1216.  
☐ Refund.

Respectfully submitted,



Theodore W. Anderson, Reg. No. 17,035  
**LEYDIG, VOIT & MAYER, LTD.**  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: October 15, 2003



Please type a plus sign (+) inside this box



PTO/SB/08A/B (10-96)  
Approved for use through 10/31/99. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/635,374
				Filing Date	August 6, 2003
				First Named Inventor	NEFF, Charles E.
				Group Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	223256

U.S. PATENT DOCUMENTS								
Examiner Initials <sup>1</sup>	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Filing Date If Appropriate
		Patent Number	Kind Code					
	AA	1,788,600		Smyser	02-07-1924			
	AB	1,854,071		Schacht	07-14-1930			
	AC	2,001,911		Wooddell	04-21-1932			
	AD	2,015,658		Bezzenberger	01-04-1933			
	AE	2,076,846		Johanson	01-04-1936			
	AF	2,184,896		Oglesby	02-06-1937			
	AG	2,198,766		Gallagher	12-22-1932			
	AH	2,205,939		Wilson	12-15-1938			

FOREIGN PATENT DOCUMENTS										
Examiner Initials <sup>1</sup>	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Translation	
		Office	Number	Kind Code					Yes	No*
	AI	GB	1505923		De Beers Industrial Diamond Division	04-05-1978				

OTHER - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials <sup>1</sup>	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No*

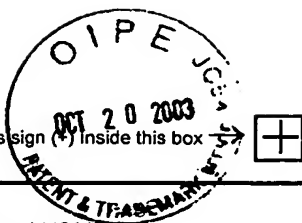
\* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

Examiner Signature		Date Considered	
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Please type a plus sign (+) inside this box



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Sheet	2	of	3	Attorney Docket Number	223256

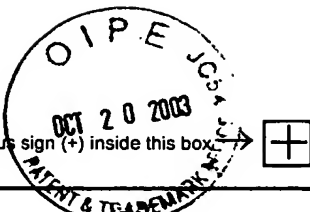
U.S. PATENT DOCUMENTS								
Examiner Initials <sup>1</sup>	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Filing Date if Appropriate
		Patent Number	Kind Code					
	AJ	2,292,261		Albertson	02-19-1940			
	AK	2,334,494		Keeleric	12-11-1942			
	AL	2,353,404		Keeleric	01-01-1943			
	AM	2,367,286		Keeleric	06-22-1943			
	AN	2,370,970		Keeleric	05-11-1944			
	AO	2,424,140		Beecher	01-22-1942			
	AP	2,582,231		Catallo	02-05-1949			
	AQ	2,793,427		Marvin	04-06-1956			
	AR	2,798,474		Ballhausen	09-15-1952			
	AS	2,820,746		Keeleric	11-25-1953			
	AT	2,823,562		Humbarger	09-16-1953			
	AU	2,876,086		Raymond	06-21-1954			
	AV	2,904,418		Fahnoe	02-25-1955			
	AW	2,906,612		Anthony et al.	08-07-1957			
	AX	3,048,482		Hurst	10-22-1958			
	AY	3,090,614		Freeman	03-16-1961			
	AZ	3,102,011		Bellinger	12-21-1959			
	BA	3,211,634		Lorenzo	02-21-1961			
	BB	3,306,719		Fringhian	11-07-1961			
	BC	3,431,105		Heck	02-12-1968			
	BD	3,625,666		James	06-16-1969			

\* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

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		Patent Number	Kind Code					
	BE	3,894,673		Lowder et al.	07-15-1975			
	BF	3,898,772		Sawluk	08-12-1975			
	BG	3,918,217		Oliver	11-11-1975			
	BH	4,010,583		Highberg	03-08-1977			
	BI	4,078,906		Green	03-14-1978			
	BJ	4,246,004		Busch	01-20-1981			
	BK	4,288,233		Wiand	09-08-1981			
	BL	4,539,017		Augustin	09-03-1985			
	BM	4,610,698		Eaton et al.	09-09-1986			
	BN	4,643,740		Nicolson	02-17-1987			
	BO	4,799,939		Bloecher	01-24-1989			
	BP	4,916,869		Oliver	04-17-1990			
	BQ	4,977,709		Siden	12-18-1990			
	BR	5,181,939		Neff	01-26-1993			
	BS	5,213,590		Neff	05-25-1993			
	BT	5,489,235		Gagliardi et al.	02-06-1996			
	BU	5,496,208		Neff	03-05-1996			
	BV	5,578,099		Neff	11-26-1996			
	BW	6,120,568		Neff	09-19-2000			

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